

## AMENDMENTS TO THE CLAIMS

Claim 1 (Previously Presented): A dry toner for developing electrostatic images, comprising a colorant and a binder resin,

wherein said binder resin comprises a copolymer resin having

(A) a polyol resin moiety having a main chain of polyoxyalkylene and obtained by reaction of

(a) an epoxy resin,

(b) a dihydric phenol, and

(c) an alkylene oxide adduct of a dihydric phenol or a glycidyl ether thereof; and

(B) a polyester resin moiety obtained by reacting an alkylene oxide adduct of a dihydric phenol or a glycidyl ether thereof with a polycarboxylic acid,

wherein the weight ratio of said epoxy resin of said polyol resin moiety to said polyester resin moiety is 95:5 to 60:40,

wherein said epoxy resin of said polyol resin moiety includes at least two bisphenol epoxy resins having different number-average molecular weights, and wherein said binder resin has an acid value of not greater than 5.

Claim 2 (Original): A dry toner as claimed in claim 1, wherein said binder resin has an epoxy value of at least 20,000.

Claim 3 (Original): A dry toner as claimed in claim 1, wherein said binder resin has an acid value of not greater than 1.

Claim 4 (Original): A dry toner as claimed in claim 1, wherein said polycarboxylic acid of said polyester resin moiety is a dicarboxylic acid.

Claim 5 (Previously Presented): A dry toner as claimed in claim 1, wherein said epoxy resin of said polyol resin moiety is a mixture of a lower molecular weight epoxy resin having a number-average molecular weight of 360 to 2,000 and a higher molecular weight epoxy resin having a number-average molecular weight of 3,000 to 10,000.

Claim 6 (Original): A dry toner as claimed in claim 1, wherein said polyester resin moiety has a number-average molecular weight of 500 to 2,000.

Claim 7 (Original): A dry toner as claimed in claim 1, wherein said copolymer resin is obtained by reaction of

- (a) an epoxy resin,
- (b) a dihydric phenol,
- (c) an alkylene oxide adduct of a dihydric phenol or a glycidyl ether thereof,
- (d) a polyester resin obtained by reacting an alkylene oxide adduct of a dihydric phenol or a glycidyl ether thereof with a polycarboxylic acid, and
- (e) a monohydric phenol or a monocarboxylic acid.

Claim 8 (Currently Amended): An electrophotographic color image forming apparatus, ~~comprising: a photoconductor drum, and a developing unit, wherein said developing unit comprises a developer bearing member, a developer regulating member, and a toner vessel containing~~ comprising a toner vessel in the apparatus, wherein the toner vessel contains the dry toner ~~according to~~ of claim 1.

Claim 9 (Previously Presented): A dry toner as claimed in claim 1, wherein the copolymer resin has a softening point of 100 to 130°C.

Claim 10 (Previously Presented): A dry toner as claimed in claim 1, wherein (a), (b) and (c) are present in an (a):(b):(c) weight ratio of 25-70 : 10-40 : 15-40.

Claim 11 (Previously Presented): A dry toner as claimed in claim 1, wherein the copolymer resin has a Tg of 50 to 70°C.

Claim 12 (Previously Presented): A dry toner as claimed in claim 1, wherein the copolymer resin has a Tg of 55 to 70°C.

Claim 13 (Previously Presented): A dry toner as claimed in claim 1, further comprising a releasing agent having a softening point of 70 to 100°C.

Claim 14 (Previously Presented): A dry toner as claimed in claim 1, further comprising a releasing agent in an amount of 1 to 6% by weight based on the total weight of the toner.

Claim 15 (Previously Presented): A dry toner as claimed in claim 1, wherein the colorant is present in an amount of 0.1 to 50 parts by weight per 100 parts by weight of the binder resin.

Claim 16 (Previously Presented): A dry toner as claimed in claim 1, further comprising a charge controlling agent.

Claim 17 (Previously Presented): A two component developer, comprising the dry toner as claimed in claim 1 and a carrier.

Claim 18 (Previously Presented): A two component developer as claimed in claim 17, wherein the toner is present in an amount of 0.5 to 6.0 parts by weight per 100 parts by weight of the carrier.

Claim 19 (Previously Presented): A two component developer as claimed in claim 17, wherein the carrier is in the form of particles coated with a resin.

### SUPPORT FOR THE AMENDMENTS

This Amendment amends Claim 8. Support for the amendments is found in the specification and claims as originally filed. In particular, support is found in original Claim 8, in FIG. 1, and in the specification at least at page 1, lines 5-10; page 3, lines 6-11; page 12, line 35 to page 13, line 6; and page 17, lines 6-8 ("The thus obtained developers were charged *in* a testing machine having a developing unit as shown in FIG. 1 ...") and lines 27-27-33 ("In FIG. 1, ...the developing cylinder 2 is adapted to carry a toner 7 contained in a *vessel* 8 ..."). No new matter would be introduced by entry of these amendments.

Upon entry of these amendments, Claims 1-19 will be pending in this application. Claim 1 is independent.

### REQUEST FOR RECONSIDERATION

Applicants respectfully request entry of the foregoing and reexamination and reconsideration of the application, as amended, in light of the remarks that follow.

Applicants thank the Examiner for the indication that Claims 1-7 and 9-19 are allowed. Office Action at Office Action Summary.

Claim 8 is rejected under 35 U.S.C. 112, first paragraph. To obviate the rejection, Claim 8 is amended. Because Claim 1 is patentable over the prior art, Applicants respectfully submit that Claim 8, which depends from Claim 1, is also patentable. See, e.g., In re Ochiai, 37 USPQ2d 1127 (Fed. Cir. 1995).

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

Should the Examiner believe that anything further is necessary in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

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